

1 **IN THE UNITED STATES DISTRICT COURT**
2 **FOR THE DISTRICT OF ARIZONA**

3 IN RE BARD IVC FILTERS
4 PRODUCTS LIABILITY LITIGATION
5 This Document Relates to Plaintiff Xavier
6 Block, 2:17-cv-04173-DGC

No. MD-15-02641-PHX-DGC

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8 **PLAINTIFF’S UNOPPOSED MOTION TO SUBSTITUTE PARTY**
9 **AND AMEND THE COMPLAINT**

10 Plaintiff Xavier Block, by and through undersigned counsel, and pursuant to
11 FRCP 25(a) and 15(a)(2) hereby move the Court to substitute Pamela Edwards, Legal
12 Guardian and Power of Attorney of Xavier Block, as Plaintiff by way of an Amended
13 Short Form Complaint in the form attached hereto as Exhibit 1, and in support, states as
14 follows:
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- 16 1. Plaintiff Xavier Block was implanted with a Bard IVC Filter and subsequently
17 discovered injuries in 2017. Plaintiff retained undersigned counsel, who filed a
18 Complaint on her behalf against the Defendants for Xavier Block’s IVC Filter-
19 related injuries.
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21 2. This case is part of a settlement with Bard.
22
23 3. Plaintiff Xavier Block is quadriplegic, and Pamela Edwards is his Legal Guardian
24 and Power of Attorney.
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26 4. Plaintiff hereby submits an Amended Short Form Complaint, attached hereto as
27 Exhibit 1, which substitutes Pamela Edwards, Legal Guardian of Xavier Block, as
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1 Plaintiff.

2 5. The guardianship paper of Xavier Block is attached as Exhibit A to the Amended
3 Short Form Complaint.
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5 6. Counsel for Defendants has indicated that they have no objection to this motion.

6 WHEREFORE, Plaintiff respectfully requests that this Court grant Plaintiff's Unopposed
7 Motion to Substitute Party and Amend the Complaint and order the Clerk to file the
8 Amended Short Form Complaint, attached hereto as Exhibit 1.
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11 DATED: 08/28/2020

Respectfully Submitted,

12
13 /s/ Marlene J. Goldenberg
14 Stuart L. Goldenberg (*pro hac vice*)
15 Marlene J. Goldenberg (*pro hac vice*)
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